

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David H. Masury & Edward P. Thompson

Application No.: 10/686,302 Filed: October 15, 2003 Examiner: Not yet assigned Art Unit: Not yet assigned Title: SURGICAL SCALPEL

## CERTIFICATE OF MAILING

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

[X] under 37 CFR 1.97(b), or

(Filed within three months of filing national application; within three months of date of entry of national stage of international application; or before mailing date of first office action on the merits; whichever occurs last)

[] under 37 CFR 1.97(c) together with either:

[] a Certification under 37 CFR 1.97(e), or

[] a \$180.00 fee set forth in 37 CFR 1.17(p), or

(Filed after the CFR 1.97(b) time period, but before final action or notice of allowance)

The undersigned hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.

[]	under 37 CFR 1.97(d) together with: [] a Certification under 37 CFR 1.97(e), and [] a fee set forth in 37 CFR 1.17(p).		
	(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)		
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[]	Please charge Deposit Account 500282 in the amount of \$		
[]	Two duplicate copies of this Statement are enclosed.		
[X]	Please charge any deficiency in fees and credit any overpayment to Deposit Account 500282.		
Enclos	sed herewith is form PTO-1449:		
[]	Copies of the cited references are enclosed.		
[X]	Copies of cited references are enclosed except those of record in prior application, U.S. Serial No. 10/075,170, and references that are not required to be submitted under Rule 98.		
Conci	se Explanation Requirements:		
[]	The "concise explanation" requirement under C.F.R. 1.98(a)(3) is satisfied by:		
	[] the explanation provided on the attached sheet.		
	[] the explanation provided in the Specification.		
	It is requested that the information disclosed herein be made of record in this application.		
	Respectfully submitted,		
	Medical		
	Kevin M. Farrell		

Kevin M. Farrell Attorney for Applicants Registration No. 35,505 (603) 433-6300

Portsmouth, NH Dated: 1/30/04

P0046696.DOC

PTO/SB/08A (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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INFORMATION DISCLOSURE

Substitute for form 1449/PTO

Sheet 1

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STATEMENT BY APPLICANT

(Use as many sheets as necessary)

	Complete if Known				
	Application Number	10/686,302			
	Filing Date	October 15, 2003			
	First Named Inventor	David H. Masury			
	Art Unit	Not yet assigned			
	Examiner Name	Not yet assigned			
	Attorney Docket Number	0194-2001US02			

			U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	<sup>US-</sup> 4,669,186	Jun-2-87	Liu	
	AB	<sup>US-</sup> 5,201,748	Apr-13-93	Newman et al.	
	AC	<sup>US-</sup> 5,258,001	Nov-2-93	Corman	
	AD	<sup>US-</sup> 5,344,424	Sep-6-94	Roberts et al.	
	AE	<sup>US-</sup> 5,403,337	Apr-4-95	Platts	
	AF	<sup>US-</sup> 5,475,925	Dec-19-95	Newman et al.	
	AG	<sup>US-</sup> 5,481,804	Jan-9-96	Platts	
	AH	<sup>US-</sup> 5,531,754	Jul-2-96	Shackelford, Sr., et al.	
	Al	<sup>US-</sup> 5,599,351	Feb-4-97	Haber et al.	
	AJ	<sup>US-</sup> 5,626,596	May-6-97	DeSatnick et al.	
	AK	<sup>US-</sup> 5,730,751	Mar-24-98	Dillon et al.	
	AA2		Jul-14-98	Werner	
	AB2	<sup>US-</sup> 5,908,432	Jun-1-99	Pan	
	AC2	<sup>US-</sup> 5,919,201	Jul-6-99	Carter et al.	
	AD2	<sup>US-</sup> 6,015,419	Jan-18-00	Strome et al.	
	AE2	<sup>US-</sup> 6,022,364	Feb-8-00	Flumene et al.	
	AF2		Mar-28-00	Chen	
	AG2	<sup>US-</sup> 6,053,929	Apr-25-00	Cohn et al.	
	AH2		Jul-3-01	Shackelford, et al.	

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages			
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )	MM-DD-YYYY		Or Relevant Figures Appear	T <sup>6</sup>		
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Complete if Known Substitute for form 1449A/PTO 10/686,302 **Application Number** INFORMATION DISCLOSURE Filing Date October 15, 2003 STATEMENT BY APPLICANT **First Named Inventor** David H. Masury Not yet assigned Art Unit (use as many sheets as necessary) Not yet assigned **Examiner Name** Attorney Docket Number 0194-2001US02 Sheet 2 of 2

	U.S. PATENT DOCUMENTS							
Examiner Initials	1 .	Document Number  Number - Kind Code <sup>2</sup> (if known	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
	Al2	US- 5,431,672	Jul-11-95	Cote et al.				
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.